



**Town of Arlington, Massachusetts**  
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## Selectmen's Minutes 03-23-2009

### TOWN OF ARLINGTON BOARD OF SELECTMEN

Meeting Minutes  
 Monday, March 23, 2009

7:15 p.m.

Present: Ms. Rowe, Chair, Mr. Hurd, Vice Chair, Mr. Greeley, Mrs. Mahon and Ms. LaCourt  
 Also present: Mr. Sullivan, Ms. Rice and Mrs. Sullivan

#### FOR APPROVAL

1. CONSENT AGENDA (one vote required for approval of all items)
  - a. Minutes of Meeting: March 16, 2009
  - b. Contractor/Drainlayer License  
 Commonwealth Construction and Utilities, Inc., 16 Dana Road, Maynard, MA
  - c. Contractor/Drainlayer License  
 A. Cierri & Sons, Inc., 1 North Maple Street, Woburn, MA
  - d. Request: Hardy School PTO Walkathon, May 1, 2009, 2:30 PM-4:30 PM  
 Betsey Crimmins, Co-Chair Walkathon Committee
  - e. APPOINTMENT  
New Election Worker  
 John P. Morine, 72 Park Ave. Extension, Pct. 13, U

Mr. Hurd moved approval. SO VOTED (5-0)
2. Discussion: Ballot Questions  
 Kevin F. Greeley, Selectman  
 The Selectmen unanimously agreed to table this item until the March 30, 2009 meeting  
 Mr. Greeley wanted to invite restaurant owners to attend and comment on the questions.

#### LICENSES & PERMITS

3. Request: Outside Furniture Permit  
 Gerard Iskenderian d/b/a Corner Grille LLC, 86 Massachusetts Avenue  
 Upon questioning from the Selectmen, Mr. Iskenderian stated he would be responsible for keeping the sidewalk area clean and would follow handicap rules for proximity to the ramp at the corner by the restaurant.  
 Mr. Hurd moved approval. SO VOTED (5-0)
4. For Approval: Keno Monitor  
 Paresh Patel, Owner, Easy Convenience, 935 Massachusetts Avenue

Mr. Hurd affirmed the Kenos monitor.

SO VOTED (5-0)

5. Request: Public Entertainment License

Mary Jo Sargent d/b/a Flora, 190-192 Massachusetts Avenue

Mr. Hurd moved approval.

SO VOTED (5-0)

6. Pledge: Arlington Chamber of Commerce 10% Shift Initiative

Michèle M. Meagher, Executive Director

Michelle Meagher and Mike Buglio from The Book Rack, spoke on behalf of this New England-wide initiative called the 10% shift campaign. The goal is to encourage 10% of the New England population to pledge to shift 10% of what they already spend from non-local businesses to local independents by 2010. The town will look at creating a link to pledge from the town website.

Mr. Hurd moved approval to pledge the 10% shift initiative.

SO VOTED (5-0)

7. CITIZENS OPEN FORUM

These matters were presented for consideration of the Board.

Patsy Kraemer reminded everyone of the EcoFest on Saturday, March 28, 2009, 9 AM – 1 PM, in the Town Hall Auditorium.

John Dunn, Arlington Vision Center representing 15 to 20 businesses, Dennis, Bob Sargent, Flora Restaurant, and Georgia Rozanitis, Christo's Fruit Market, spoke of concerns regarding the Massachusetts Avenue Corridor Project affecting their businesses. Some concerns discussed were traffic flow, parking safety, parking space loss, lights at Mass. Ave and Lake St., and disruption to business in this down economy. Mr. Hurd responded that architects and a review committee along with the Planning Department who is facilitating the project are addressing their issues. After discussion by the Selectmen it was decided to make this issue an agenda item at the March 30<sup>th</sup> meeting and that the plans should be published on the Town web site.

Jeanne Leary, 425 Summer St., asked to speak regarding the Green Dog warrant article. Ms. Rowe requested that she return to the next week's meeting, March 30<sup>th</sup>, because the warrant hearing was being tabled until that meeting.

TRAFFIC RULES & ORDERS/OTHER BUSINESS

8. Discussion: Recommendations for Winter Street/Oxford Street

Edward Starr, Chair

Transportation Advisory Committee

Mr. Howard Muise, TAC volunteer, presented the below recommendations:

1. Install a School Zone at Dearborn Academy on Winter Street and update the existing school zone signs on Oxford Street, to include adding advance warning signs and moving the End School Zone signs 100 ft beyond the school property line on Oxford Street as required by standards.
2. Install playground signs in advance of the playground on Winter and Oxford Streets.
3. Remove existing crosswalk on Winter St. by removing signs and not replacing existing faded markings.
4. Add crosswalk signing for crosswalk on Oxford Street at Raleigh Street.

Addendum to Winter Street Recommendations - Suggested by Jack Hurd

1. Remove part of no parking zone on west side of Oxford Street between Raleigh Street and Massachusetts Avenue – change No Parking sign just south of Raleigh Street to No Parking Here to Corner

-Remove No Parking sign approximately 100 ft south of Raleigh Street

-Move No Parking sign around 52 Oxford Street to be 20 ft north of the edge of the school property

- o Maintain No Parking from this sign to Mass Ave

Mr. Hurd moved approval.

SO VOTED (5-0)

## 9. WARRANT ARTICLE HEARINGS

Article 13 Bylaw Amendment/Door-To-Door Solicitors

Mrs. Mahon moved favorable action.

SO VOTED (5-0)

Article 14 Bylaw Amendment/Mobile Food Vendors

Mr. Greeley moved favorable action.

SO VOTED (5-0)

Article 16 Bylaw Amendment/Public Consumption of Marihuana or Tetrahydrocannabinol

Ms. LaCourt explained that this would allow the Town to increase the fine to \$300, currently \$100, for public consumption.

Ms. LaCourt moved favorable action.

SO VOTED (5-0)

Article 18 Bylaw Amendment/Animal Control

(tabled from 2/23/09 and 3/9/09 meetings)

Mrs. Mahon moved to table until the March 30<sup>th</sup> meeting. SO VOTED (5-0)

Nancy Madden and Nancy O'Connor, Brookline Park and Recreation Commissioners, came to speak on the set up of Brookline's green dog program. They evaluate the program as an overall success, which has been offered for 6 years now.

The program goal was to focus off leash dog activity to specific times in 14 of Brookline's 40 plus parks with enforcement mechanisms in place. Another goal was to raise respect consciousness within the residents to each other and of the parks, which they believe was achieved and affected changed behaviors. Their challenge was to decide how to define and measure success. Brookline decided that if they could show nothing had gotten worse then it was good and/or a success along with creating a structure for handling off leash dog problems. Below lists some of the facts of Brookline's green dog program:

- The Park and Recreation Commission is responsible for the off leash program
- There is a green dog user contact for each park for communication
- 1 full time Animal Control Officer (before it was a part time position)
- There is no fee associated with the off leash program
- Education is key to the program; they utilize signs, on line information, pamphlets, park rangers (2), and an environmental educator.
- Off leash parks are spread around Brookline and are not called dog parks. All Brookline parks are for multi-use purposes. No artificial turf parks are included.
- There are no off leash parks adjacent to schools (per school committee)
- Dogs are to be under voice control to join in on off leash privileges
- Hours are from dawn until 9:00 a.m. except for 2 parks from beginning of December until end of February, hours are all day
- No new parks can be opened to off leash until a public hearing is held
- If there is a concern it goes first to the Recreation Director to be resolved if not then to the park contact, if not it goes to the Park and Recreation Commission and/or the Animal Control Officer

Article 28 Home Rule Legislation/Raise Maximum Allowable Age of Police and Fire Candidates For Appointment

Ms. LaCourt moved favorable action.

SO VOTED (5-0)

Article 29 Home Rule Legislation/Civil Service Age Limits For Police and Fire

Mr. Greeley moved no action.

SO VOTED (2-3)

Ms. Rowe, Mrs. Mahon, and Ms. LaCourt voted in the negative.

Mrs. Mahon moved favorable action.

SO VOTED (3-2)

Mr. Greeley and Mr. Hurd voted in the negative.

Article 67 Resolution/Supporting Return of National Guard to Massachusetts

Ms. LaCourt moved no action.

SO VOTED (3-2)

Ms. Rowe and Mr. Greeley voted in the negative.

## 10. FINAL VOTES AND COMMENTS

Article 19	Bylaw Amendment/Canine Control
Article 20	Bylaw Amendment/Off Leash Dogs at Robbins Farm Park
Article 22	Bylaw Amendment/Locations For Unfenced Off Leash Dog Areas
Article 23	Bylaw Amendment/Increase Dog Licensing Fees
Article 24	Bylaw Amendment/Excavation and Trench Safety
Article 8-STM	Home Rule Legislation/Subdivision Control
Article 25	Home Rule Legislation/Subdivision Control
Article 33	Establish Pay As You Throw Trash Collection System
Article 52	Local Option Taxes
Article 53	Appropriation/Improvements/Mead Road
Article 68	Resolution Support Legislative Municipally Sponsored Automobile Insurance Program
Article 69	Instruction to Board of Selectmen

Mr. Greeley moved approval.

SO VOTED (5-0)

### **Correspondence Received**

Thomas K. Steel, Jr. RCN, Vice President	GOL TV Rate Increase	Be Rec'd
Frank Foss Comcast	Service and Rate Changes	Be Rec'd
Theresa M. Buckley 108 Rawson Road	Request Pedestrian Crosswalk at Cusack Building	Be Rec'd
James C. Colman Assistant Commissioner Department of Environmental Protection	Municipal Sustainability Grants for FY2009	Be Rec'd

Mr. Hurd moved to refer Ms. Buckley's request to TAC for recommendation. SO VOTED (5-0)

Mr. Greeley moved receipt of correspondence. SO VOTED (5-0)

### **NEW BUSINESS**

Mr. Sullivan requested approval so that Arlington and Belmont High Schools can use the Pond Lane parking lot for storage of boats.

Ms. LaCourt moved approval. SO VOTED (5-0)

Mr. Sullivan requested approval to allow the Soap Box Derby on June 13, 2009.

Ms. LaCourt moved approval. SO VOTED (5-0)

Ms. LaCourt reminded everyone that the AEEF Trivia Bee on Sunday, March 29, 2009 at the Town Hall.

Mrs. Mahon announced the high school production "Of Thee I Sing" this weekend March 28<sup>th</sup> & 29<sup>th</sup> at the Lowe Auditorium.

Mrs. Mahon requested copies of the DCR Green Path Plan and the Mass. Ave. Corridor Plan.

Ms. Rowe asked for a Selectmen liaison on the Crosby/Parmenter Committee.

Mrs. Mahon nominated Ms. LaCourt as the liaison. SO VOTED (5-0)

Mrs. Mahon moved to adjourn at 10:10 p.m.

SO VOTED (5-0)

A true record: Attest:

Mary Ann Sullivan

**Next meeting of BOS March 30, 2009.**